

AMENDATORY SECTION (Amending Order 73-14, filed 8/27/73)

WAC 173-18-040 Streams and rivers. The following provisions of this chapter delimit(~~(, by county,)~~) the streams and rivers which constitute shorelines of the state as follows:

(1) Streams which constitute shorelines.

(a) Western Washington. (~~The following provisions describe the~~) Streams in Western Washington from the point at which the stream reaches a mean annual flow of twenty cubic feet per second down to the mouth of said stream or river: Provided, that the stream falls at said point, within the jurisdiction of chapter 90.58 RCW.

(b) Eastern Washington. (~~The following provisions describe the~~) Streams in Eastern Washington from the point at which the stream reaches a mean annual flow of twenty cubic feet per second down to the mouth of said stream or river: Provided, That the stream falls at said point, within the jurisdiction of chapter 90.58 RCW.

(2) Rivers which constitute shorelines of statewide significance.

(a) Western Washington. (~~The following provisions describe the point on those rivers in Western Washington where the mean annual flow reaches one thousand cubic feet per second and lists said river in all counties below said point through which said river passes with a mean annual flow in excess of one thousand cubic feet per second.~~) Any rivers west of the crest of the Cascade range downstream of a point where the mean annual flow is measured at one thousand cubic feet per second or more. Provided, That the river falls at said point within the jurisdiction of chapter 90.58 RCW.

(b) Eastern Washington. (~~The following provisions describe~~) Either of the following points on (~~those~~) rivers in Eastern Washington, whichever is farther upstream;

(i) The point at which the mean annual flow exceeds two hundred cubic feet per second(~~(7)~~); or

(ii) The lowest extremity of the first three hundred square miles of drainage area east of the crest of the Cascade Range; provided that either of said points which is utilized is within the jurisdiction of chapter 90.58 RCW.

(~~(iii) The following provisions additionally list said river in all counties below said point through which said river passes.~~)

(3) (~~Streams or rivers outside the jurisdiction of chapter~~)

~~90.58 RCW. In those cases where the above described points on streams or rivers fall in geographical areas outside of the jurisdiction of chapter 90.58 RCW. The following provisions list said streams or rivers in all counties downstream from the boundaries of said geographical areas. In such listing, if the body of water is a shoreline of statewide significance below said geographical area, such will be indicated in the description and by asterisk.~~

~~(4))~~ Until superceded as provided in WAC 173-18-044, rivers constituting shorelines of the state are listed in WAC 173-18-050 through 173-18-430. Other data related to these lists.

(a) Wherever a river of statewide significance falls within a county, it is followed by an asterisk.

(b) The following provisions set forth the name of the quadrangle maps where the stream or river is shown. The quadrangle in which the shoreline delimitation begins and the first quadrangle downstream from the county line is underlined. The quadrangle in which the shoreline of statewide significance begins is followed by an asterisk. The size, in minutes, of all quadrangle maps is designated.

(c) Where quadrangle maps are unavailable, photomaps have been used as indicated.

[Order 73-14, § 173-18-040, filed 8/27/73; Order DE 72-13, § 173-18-040, filed 6/30/72.]

AMENDATORY SECTION (Amending Order DE 80-20, filed 6/30/80)

WAC 173-18-044 Review and update of designations. ~~((The department shall review all the designations made herein at least once in every five-year period following the effective date of chapter 90.58 RCW or as frequently before then as is deemed advisable by the department, and prepare the necessary revisions to ensure that the designations conform to the policies of chapter 90.58 RCW and of chapter 173-18 WAC in the manner and form prescribed for adopting and amending rules and regulations in chapter 34.04 RCW (the Administrative Procedure Act)-))~~ Each local government master program shall include a list of streams constituting shorelines of the state within the jurisdiction of the master program that complies with the requirements of RCW 90.58.030 (2)(d). When such master program is approved by the department, subsequent to the effective date of this provision, the list within the master program shall be the official list for that jurisdiction

and shall supercede the list contained herein.

[Statutory Authority: RCW 90.58.120 and 90.58.200. 80-08-052
(Order DE 80-20), § 173-18-044, filed 6/30/80.]

AMENDATORY SECTION (Amending Order DE 80-20, filed 6/30/80)

WAC 173-18-046 Conflicts between designations and criteria.
In the event that any of the designations set forth in this chapter
or a shoreline master program approved under WAC 173-18-044,
conflict with the criteria set forth in RCW 90.58.030(2) or in WAC
173-18-040 the criteria shall control. The designation of the
stream or river shall be governed by the criteria, except that the
local government must amend the local master program to reflect the
new designation within three years of the discovery of the
discrepancy.

[Statutory Authority: RCW 90.58.120 and 90.58.200. 80-08-052
(Order DE 80-20), § 173-18-046, filed 6/30/80.]